



## LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, August 13, 2014 6:00pm

City Council Chambers, 111 South Main Street

LaVerkin, Utah 84745

**Present:** Chair Anna Andregg; Commissioners: Hugh Howard, Michael Hinckley, and Steve Lisonbee; Staff: Derek Imlay, Kevin Bennett, Kyle Gubler, and Christy Ballard; Public: Richard Hirschi, Pam Panter, Randy Reeve, Mike Madsen, Alan & Diane Olsen, Ray & Joyce Potter, Mr. & Mrs Craig McCollum, Carla Hinckley, Scott Stratton, Brandon Stephenson, and John & Rose Valenti.

*Commissioners Allen Bice, Karl Benson and Kelly Wilson have been excused.*

- I. Call to Order:** Chair Anna Andregg called the meeting to order at 6:00pm. The Invocation and Pledge of Allegiance was given by Ray Potter.

- II. Approval of Minutes:**  
Commission may approve the minutes of the July 9, 2014 regular meeting.

**Motion was made by Commissioner Steve Lisonbee to approve the July 9, 2014 regular meeting minutes as written, second by Commissioner Hugh Howard. Motion carried unanimously.**

- III. Approval of Agenda**

**Motion was made by Commissioner Hugh Howard to approve the agenda as written, second by Commissioner Michael Hinckley. Motion carried unanimously.**

- IV. Reports:**

1. Beautification/Trails Committee-There was not a meeting last month. The next item on their agenda is the State Street Clean Up in October.
2. Economic Development Committee-Nothing to report.
3. Director of Operations- Derek reported the water usage is down from last month. Right now the City has used 80 cubic feet of water and the month is just about half over. The end of last month we used 248 cubic feet.

Letters were sent to the large parcel owners explaining due to water shortage, the Mayor and City Council are asking everyone to water between the hours of 6pm and 10am. It was also placed on the water bill. So far the citizens have been very cooperative.

- V. Public Hearing:**

1. An Ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agricultural to either Retail Commercial, Multiple-Family residential, One-Family residential, or Public Facilities Zone-certain parcels of interstate Rock property. See Public Notice dated July 23, 2014.

Mike Madsen from Interstate Rock Products explained this project will be located where the new elementary school will be placed at some future time. IRP will be starting the Main Street Extension project soon. They will be extending Main Street from the top of the hill down to the school pad.

The project this zone change request is for will be to build homes around the school. They are asking for high density which will be around the Public Facilities Zone which is land IRP is donating to the City for a park. As well as the R-1-8 zone which is single family residences and also two lots zoned Commercial just off the highway.

There will be a second phase sometime in the future and will take in the remaining 200-300 acres IRP has in that same area. At some point in time Main Street will connect to Trial Ridge and IRP would put residential on both sides of that street, around the school and up to where their gravel pit is located now. There has been a lot of planning put into this project to try and create the least amount of impact but still be able to financially move forward.

The areas are marked off on the map in acreage. Cottonwood Hollow is the current name of the project. IRP would like to see the development be one of the premier developments in La Verkin, with a nice school, nice parks and nice homes equipped with curb, gutter and street lights.

IRP has done developments all over the County and he feels they have accomplished very nice projects and would like to see the same done here in La Verkin.

*The public hearing opened at 6:10pm.*

Carla Hinckley: Stated she is very much impacted by this project. Her family is excited about the project and thinks it does need to be done. She has looked at the plans and feels it will be a positive thing. She does have a couple of concerns however. One is the traffic. She has lived on busy streets in the past and it does make life uncomfortable. Her current home faces Main Street on the North end and she is worried her life may become unbearable if the traffic is not handled right. Making sure development is handled in a responsible way, she feels, is the job of the Planning Commission. So that it doesn't impact the people who live there as well as the people purchasing the new homes.

Her concern is there is one outlet onto SR17 and one onto Main Street. She is afraid Main Street will be the street of choice simply because most people don't like to make a left hand turn. She feels it is not only in her best interest to have this item addressed but the City's as well. SR17 is maintained by the State, Main Street is maintained by the City. If there is a lot of traffic through there it will increase the cost for the City of La Verkin.

Her other concern is the amount of high density housing that is listed. She would like to see more single family homes.

She wondered if the State has been approached on putting a light onto SR17. That would be helpful in how the traffic would be routed. She also feels the road going onto SR17 needs to be larger than a two lane road. At the very minimum a three lane road so there could at least be a turning lane.

Carla also mentioned not wanting any residential streets coming off of Main Street. She would like the traffic directed to SR17. This will make life easier during school pick up and drop off for the residents of Zion View Estates.

High density in her opinion is not the direction La Verkin should be going in. She loves what has been done in the community and the direction La Verkin is going. She would hate to see us move this far forward only to take a step back with a large amount of high density.

Craig McCullum-Is a neighbor to the Hinckley's and echoes the comments made by Carla. He is worried about the traffic also and wondered if the high density housing is going to be stacked and if so how many levels will there be. If the buildings are three levels that will increase the traffic even more. How large are the lots going to be in the single family zone. The Public Facility Zone, is that going to be something La Verkin owns? The Commercial Zone, what will be the budget implications if there is not adequate businesses? The single family dwelling units taxes only cover the maintenance of the roads, what about the other factors such as police, fire, ect.

He wondered how much of this has been thought through other than the zone change.

The traffic is also a concern for him especially during school. He had a previous residence in another city that didn't plan well and their Main Street is unmanageable during school hours.

Departments are a big concern for him because he is a retired police officer. High density brings good people and bad people. Traditionally they are transient who don't contribute much to society. Some contribute to the community but there is never a low crime rate among apartments. So he feels La Verkin should look at increasing their police budget.

Pamela Banter- is new to La Verkin and loves this place. She was a realtor in Southern California and has seen what can happen when things are not planned out and we don't want that here. La Verkin has the three most important things in real estate, location, location, location. We are the gate way to the most beautiful place on the planet and we need to take advantage of that. How we move forward from this point is so important to the community. High density is not the direction this town should be going in. The property values are lower than they are in Hurricane and Toquerville and it should not be that way. If more high density goes in we will have more trouble and will need more police. This is a beautiful valley and it will not be that way if we put in a lot of high density housing. Also, she would like to see what is going to go in there. The developer talked about a beautiful community but what assurance do we have that it will be a beautiful community and not just transients who bring more trouble. If this request is granted, what will prevent apartments or rentals going in on State Street? La Verkin is growing and we need to grow very carefully.

Craig McCullum-In Weber County there was a developer who started with one plan but kept making changes. He would wait for city councilmembers to change so he could get amendments to all his proposals. What he ended with is not what he originally proposed. He ended up not doing a proper flood tile drain for 285 homes. They had a storm that flooded each one of those homes and the developer was long gone with his money and the home owners had to pick up the tab for the damages. If this development goes through make sure the City is iron fistied with it.

Wade Beatty-Growth is great and natural for every community. We still need to figure out what La Verkin wants to be in the next 5-15 years. If that is a bedroom community with small apartments without yards that's great but he doesn't think that is the vision we have for La Verkin. We have a lot of that right now.

The vision he sees a lot of people liking is bigger lots with nicer homes. There are very few options for a seven person family, such as his, to move into without having to leave La Verkin. There are a lot of great things going for La Verkin right now and he would hate to see that diminish by approving a plan to create a lot of smaller units, which we have a lot of right now.

*The public hearing closed at 6:26pm.*

## **VI. Business:**

1. Discussion and possible action to give approval for an Ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agricultural to either Retail Commercial, Multiple-Family residential, One-Family residential, or Public Facilities Zone-certain parcels of interstate Rock property.

Mike Madsen from Interstate Rock Product stated he appreciated all of the comments. Moving forward carefully is what the City does. To produce and make available in the City things that the community wants and in a way the citizens have envisioned it.

As far as the traffic goes, the school is already done so there is nothing that can be done with the extension of Main Street. We are talking about re-zoning.

The road from SR17 over to the development is a wider than normal road. It has been discussed but if something more needs to be done to help with traffic then maybe the plans needed to be looked at again. Ultimately as Main Street connects to Trial Ridge that will give a third outlet to the development.

The high density will be around the park and are not apartments but townhomes. The plans for the development will be coming in on another day for approval. The other zone request is for the R-1-8, both of these zones already exist in the City, they are already in the ordinances.

There are an additional 300-500 acres around the school and that will be single family homes. There will be no more townhomes. They are the buffer zone from the park, school, and commercial into subdivisions. IRP has not included that area in the zone request because it is far enough into the future they don't know how the City will want to zone it or what will be wanted. It looks like there is a lot of high density but when you take in the additional acreage that will be single family homes they will over shadow the amount of high density.

As for the lower property value, how do you draw people into La Verkin and then how do you draw them into your subdivision? You offer them multiple venues, ideas and high quality. IRP believes as a good developer you would produce all types of facets and all types of homes in the 700 acres they have, from the high density to high end homes. There will be high end homes up further on top because IRP will have to spend more money to develop those lots.

When you do that your land value goes up. When you stop building that is when your property value decreases.

Mike commented that he does appreciate the comments and would like to take those comments and integrate them into the plans so that the City is producing the best possible outcome.

It still comes down to financial items. It has to be worth someone's dollar to invest in an area. That is why IRP has chosen to place the high density around the park area only. In total units it will be relatively few when the whole area is developed. The gravel pit will be closed down when the school goes in and IRP is committed to making higher end single family residence in the remaining parcels.

IRP would like to move forward. They are passionate about growth and passionate about their property. He feels that WCSD wants to put the school there and IRP wants to give them another reason to come, like housing for their teachers.

Interstate Rock needs the high density to go forward otherwise they will pull out and the project will move to another day. A whole other time until council's change and things change because they can't afford to do it. They have already spent 1 year on this. They are trying to produce the best possible thing for this land, for Interstate Rock and for the City.

Commissioner Hinckley stated his only concern is if the State has been approached on getting a light on SR17. He knows it is premature but has there been any discussion with the State on addition routes onto SR17.

Mike Madsen said that the UDOT conducts its own study for street lights. They have their own criteria for a street light and IRP has not talked to them about what their requirements will be for the development.

Kevin said that UDOT will decide on the number of accesses and the width of those accesses. They do for limited access highways. He doesn't think the light would happen very soon. There are places that have been waiting for a light for a long time with heavy traffic already on the ground. UDOT has different requirements they look for in order to keep everyone safe. They will also trade for different accesses along that roadway but when they do that they trade down.

Kyle said it is his experience with the State they will wait until the traffic is there before they address anything, they will not look into the future.

Commissioner Hinckley asked if anyone had any idea how far out building the elementary school is.

Kyle answered he has been told it is 5-10 years out.



Commissioner Lisonbee has done some research and put a lot of thought into this project after the last discussion on it. He is vested in this community. He has also been asking people what their vision is for the community. He feels this isn't just about one area; it's about the bigger picture. He feels that Interstate Rock is caught in the quandary that La Verkin is in with reestablishing what we look and feel like and what we invite into our community to grow with us. He feels there is enough high density housing in the community. La Verkin is known throughout the county as the lower end community. The elementary school is a Title One school and has to overcome a lot of things to be successful. Commissioner Lisonbee did go look at the other developments suggested to be looked at and while the architecture and quality is good the traffic studies he conducted and the people he talked to which were leaders in those communities all said the areas were a burden. They are a burden on the welfare system in the religious community and the police and task force have larger traffic. Not that they aren't manageable because they are, they are just a burden and we need to think about the return on the investment. What does this type of zoning bring to the community? Does it help us move forward in what we want to capture as a community?

People who live in high density housing typically don't want to travel 30 minutes to work and there are no jobs in La Verkin. The school teachers that teach here already all have homes. We don't need to build homes for school teachers. We also need to remember the school is an independent project; it has already been done and will happen regardless of what happens with the zoning around it. He feels having a school there is a negative to rezoning because now the traffic by the school has just increased. Commissioner Lisonbee doesn't feel there is a need for additional building lots. There are enough homes for sale right now in La Verkin to meet the demand, most of which are priced \$125,000 and lower which places them in the same price range as the high density homes would be.

The Commissioners can't predict what is going to happen in the future no matter what is stated, we need to vote on the proposal at hand.

Commissioner Lisonbee commented he understands the subdivision layout can change but the high density on the south west corner has to drive through the R-1-8 homes to get to them and people aren't going to buy the nicer homes if they have to deal with the traffic of the high density.

To summarize, we need to vote only on the proposal in front of us and remember what our vision and purpose is. He stated he would like to be in a community with only single family homes so when La Verkin does grow it's with long term residences. He is in no rush to grow and feels that when it does happen it should be holistically in small phases to meet the demand.

The Planning Commission represents the citizens and he does not feel the community is asking for this. Interstate Rock Products does care about their property and wants to do the right thing and wants it to work for the City, he feels they would be great partners and respects that but at the same time he doesn't think this is what the community is asking for.

Commissioner Howard stated he does have confidence in Interstate Rock and likes the other projects they have done and he hopes they will develop the property. He is concerned about the high density and the bottle neck with the traffic coming into the town homes. Everyone he has talked to has concerns with the high density as well.

Commissioner Andregg commented dealing with the high density has been the biggest issue with this project. The Commissioners seem to have mixed feelings about the project. Should the decision be made tonight or at another meeting?

The role of the Planning Commission and the City Council in proposals such as this was explained as was the different options for approval or denial for this motion.

**Motion was made by Commissioner Steve Lisonbee to deny approval to an Ordinance amending the City Zoning Map of and for the City of La Verkin,**

*Commissioner Michael Hinckley is abstaining from voting due to conflict of interest. He feels his property is too close to the project.*

**Motion dies for lack of second.**

**Motion was made by Commissioner Hugh Howard to approve an Ordinance amending the City Zoning Map of and for the City of La Verkin, rezoning from Residential Agricultural to either Retail Commercial, One-Family residential, or Public Facilities Zone but denying the rezoning from Residential Agricultural to Multiple-Family residential-certain parcels of Interstate Rock property, second by Commissioner Steve Lisonbee. Motion carried.**

2. Presentation and discussion of road between 200 South and 300 South  
Commissioner Andregg stated this item is a discussion only item. No decision will be made at this meeting.

Derek passed around a handout. The first page shows the area being discussed. Scott Stratton has a proposed building lot. He is interested in having the City abandon the old Master Road Plan and the parcel of property the City has that runs through the building lot making the lot a flag lot with access off of 300 South.

The second page is a different view of the property. It is the flat area north of Mayor Kerry Gubler's home and is the only buildable area there that will not affect the Hillside Ordinance.

The third page is a copy of a town survey. Derek pointed out the date, March 27-31, 1905.

The fourth page shows Scotts property listed as 14.70, it has sense been split into two parcels, but the thin line in between the front of Scotts property and the back of the other parcels is City owned property.

This is two parcels of property. The first parcel will be accessed by 300 South and meets frontage requirements off of a dedicated City street. Scott's property will need to be a flag lot or he will need to put in a fully developed 50 foot road.

The fifth page is from the Master Road Plan adopted in 2001. This shows the property Scott would like to build on and on that parcel the slated lines on the west side indicate property that needs to be abandoned. The property on the east side is property that needs to be acquired in order to make the 50 foot street. This is on the books right now.

The discussion needs to be first, if the City is interested in abandoning the continuation of 100 E because if a flag lot is put in, there will be no way to continue it from 200 S to 300 S.

The Master Road Plan would need to be amended to show the removal of the continuation of 100 E and the property the City owns along those parcels would be given back to the property owner.

The road that Scott puts in to access his property would not be a City road it would be a private road so the City would not maintain it.

Kyle pointed out there is still a drainage easement through there for an irrigation line and the City would maintain that.

Commissioner Andregg asked what the down side would be for abandoning the road.

Derek answered the down side would be there are property owners along Main Street that could divide their property and access those parcels from either Main Street or 100 East and this would take the option of 100 East out. There will be a public hearing and those property owners will be notified before any decision is made, this discussion is to determine if the City is even interested in the possibility.

Kevin explained the process would be similar to the surplus and abandonment done a couple of years ago off of Center Street and explained that process.

Commissioner Lisonbee commented there is two additional lots that could be developed so why abandon the road; why not put the road in so if ownership ever changes they will have the ability to develop. If money wasn't an issue it would be in the best interest for the City to develop the road but because money is an issue that is why this item is being discussed.

Scott Stratton stated he is not interested in developing the property, he is only interested in building a house and he will not build a \$250,000 road for access to one house.

Derek replied he is impartial but realistically only three or four homes could be built up there. If the City built the road they would have to maintain it and we are already having a hard time maintaining what we have.

Scott has requested this be looked at because he does not want to build a road. He wants to turn the property into a flag lot with a 25 foot road that accesses off of 300 South. Scott's property doesn't have access off of 300 South so there would be a lot split and the property owner that does have access to 300 S will give Scott the 25 feet he needs to access his property.

Commissioner Howard commented he always thought a bike/hike path would go along that hillside.

Kevin didn't think the Hillside Ordinance would allow for a path. He mentioned that his concern with leaving the 50 ft. road is it wouldn't allow much room to build on the parcels that are there because of the Hillside Ordinance.

Kyle said there are four properties that would be affected by this and he feels the City should require them to each sign off on it if it does move forward.

Commissioner Hinckley asked if Scott would be required to continue with the pavement of 300 S and if he would need to put the improvements in.

Derek did not have the answer to that. He is not sure who would have the responsibility of it. Mayor Kerry Gubler owns the field next to his house and Micah Gubler owns the property to the south of Scotts. Scott would have some responsibility there since his property would access off of it.

Commissioner Hinckley asked Scott what his plans were for the 25 ft road.

Mr. Stratton replied per City Ordinance he will have to put in a surfaced road, he is also going to have to put all of the utilities in. The State Geologist has been down to find the fault line and the Soils Engineer has been there and did find blue clay. He is invested in the project and would like to move forward but he is not willing to put in the 50 ft. road.

Derek explained that if the City required the road to go in only the portion of the road in front of Scott's property would be his responsibility. The other property owners would be responsible for the part in front of them with the City picking up the rest. Also, the property owners are only required to put in their side of the street plus 10 feet.

Commissioner Howard asked if the road would continue south past 300 South. It's the area on the last page that is dotted. He also wondered if those lots were buildable parcels.

Kyle replied the property is owned by WCWCD and the dotted line is probably their right of way.

Derek commented that area gets into the hillside so much those lots would probably be unbuildable.

He also commented that if Scott is granted the flag lot with the 25 foot road only one single family residence can be accessed off that 25 foot road.

There would also need to be studies done to determine if any of the other lots to the north of Scott's property would be buildable due to the way the hillside comes down.

There was a discussion on the piece of property north of Mayor Gubler's house and the possible access it could have.

A bike trail would not be a possibility if Scott was awarded the flag lot.

Kevin said the roadway could be abandoned and enough for a trail kept if the City owns enough property there to have a trail.

Commissioner Howard thought a trail could start at the trail head by his house and go all the way around the City.

Mr. Stratton would rather give up property further up the hill for a trail than have it go in front of his house. He would even be willing to deed property on top of the hill.

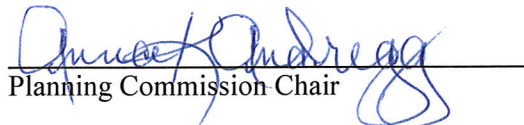
Commissioners Hinckley and Lisonbee both feel Mr. Stratton should move forward.

Derek said the issue will be taken to staff and they will get a plan put together to present to the Planning Commission.

## **VII. Adjourn:**

**Motion was made by Commissioner Michael Hinckley to adjourn, second by Commissioner Steve Lisonbee. Motion carried unanimously at 7:27pm.**

Minutes taken on behalf of the City Recorder by Christy Ballard.

  
Planning Commission Chair

9-24-14  
Date Approved